

FEDERAL COMMUNICATIONS COMMISSION
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November 9, 2010

Dan J. Alpert, Esq.
Law Office of Dan J. Alpert
2120 North 21st Road
Arlington, VA 22201

Re: KANM(FM), Skyline-Ganipa, NM
Tango Radio, LLC
Facility ID No. 164213
File No. BLH-20100412AAD

Dear Counsel:

This letter refers to the above-captioned Application for License (the "License Application") to cover Construction Permit BMPH-20100330ADB (the "CP") submitted by Tango Radio, LLC ("Tango"), the permittee of the new Station KANM, channel 240A, at Skyline-Ganipa, NM.

On May 19, 2010, Commission staff returned the License Application as unacceptable for filing because Tango failed to submit the directional antenna proof of performance, antenna installation certifications and radiofrequency radiation ("RFR") measurements required by the Special Operating Conditions on the CP and did not construct a main studio prior to filing the license application. The staff also denied Tango's associated request for waiver of the main studio rule and request for program test authority ("PTA").

On June 23, 2010, Tango submitted a Petition for Reconsideration (the "Petition") of the staff's dismissal of the License Application, a request for reinstatement of the License Application *nunc pro tunc*, and an amendment to the License Application purportedly containing the items required by the Special Operating Conditions on the CP. Commission staff promptly reviewed the Petition and the amendment to the License Application. They granted the Petition and reinstated the License Application on June 28, 2010, but were unable to act on the License Application because the amendment submitted by Tango did not contain all of the items required by the Special Operating Conditions on the CP. Accordingly, the staff contacted you by telephone, and requested an additional amendment to the License Application containing the required KANM RFR measurements and a detailed description of the access restrictions in place at the KANM transmitter site.

Tango submitted the second amendment to the License Application on July 26, 2010. Commission staff promptly reviewed the amendment and found that the data submitted was still not sufficient to determine KANM compliance with all of the Special Operating Conditions on the CP and the Commission's Rules. Once again, the staff contacted you by telephone shortly after receipt of the application amendment and requested another amendment to the License Application containing the following items:

1. RFR measurements taken with the station operating at full power, i.e. 1.00 kilowatt effective radiated power;

2. photographs showing the locations of the transmitting antenna and the fence surrounding it that is required to prevent casual or inadvertent public access to areas in the vicinity of the KANM transmitting facilities where RFR levels are predicted to exceed General Population/Uncontrolled Maximum Permissible Exposure Limits.

As of the date of this letter, Tango has not submitted an amendment to the License Application containing the requested additional information, despite repeated promises to do so within the last three months.

Further action on the License Application will be withheld until November 30, 2010, to provide the applicant a **final** opportunity to submit the requested information and perfect the application. Failure to respond or to submit all required information within this time period will result in the dismissal of the License Application with no further opportunity for corrective amendment pursuant to Section 73.3566(b) of the Commission's Rules, cancellation of the KANM construction permit and deletion of the KANM call sign.¹

Sincerely,

A handwritten signature in blue ink, appearing to read "Rodolfo F. Bonacci".

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Tango Radio, LLC

¹ 47 C.F.R. § 73.3566(b).